



U.S. Customs and Border Protection

Forced Labor Investigations and Allegations – How to Write a Forced Labor Allegation

Forced labor is an invisible part of the production of many everyday products. It is a form of modern slavery that traps approximately 25 million people around the world in inhumane working conditions,¹ and U.S. Customs and Border Protection (CBP) is committed to ensuring that it has no place in the American supply chain. Victims of forced labor may experience abusive working and living conditions, physical and sexual violence, debt bondage, and isolation from family and community.



Photo by David L. Parker, MD, MPH

It can be difficult to imagine what this practice looks like in real life, for the real people affected by it. An [article](#) in the Associated Press tells the story of a man named Jum trapped on a palm oil plantation in Malaysia. He and other workers live without shelter, sleeping on the jungle floor, completely exposed to the elements and the animals that dwell there. The company he works for confiscated his passport and extended his three-year contract twice, despite his desire to return home to neighboring Indonesia. Unfortunately, Jum is one of countless workers trapped in situations just like this to help cultivate [palm oil](#), which lines grocery store shelves as a common ingredient in packaged foods, hand sanitizer, pharmaceuticals, and beauty products.

As one of the only customs administrations in the world with the authority to prohibit goods made with forced labor from entering the country, CBP works diligently with non-governmental organizations and partner government agencies to investigate and act upon allegations of forced labor in U.S. imports. CBP's efforts help shine a light on the abuses in specific supply chains and, in many cases, help generate the political will to address some of the underlying causes.

CBP depends on both private and public sector collaboration to investigate and enforce the prohibition on the importation of goods produced with forced labor by providing critical information and evidence regarding the use of forced labor in supply chains. When an organization or an individual has information regarding this type of activity, they can send an allegation to CBP for further investigation. If CBP has evidence indicating that goods being imported, or likely to be imported, to the United States are produced with forced labor, the agency may take enforcement actions such as issuing a Withhold Release Order or Finding.

Investigation process

CBP's forced labor analysts receive and investigate allegations from non-profit and non-governmental organizations, partner government agencies, the press, and individuals. In other cases, analysts may self-initiate a case based on information from internal government sources or public reporting.

Sifting through witness testimonies, payroll and financial records, audits, photographs, and other supporting documents, analysts review various sources to build their cases for an enforcement action. Analysts also initiate and build relationships with public and private partners to collaborate on cases and gain further clarification to help connect the dots. They review publicly available information such as academic reports and media articles to place the forced labor in a broader context.

Analysts leverage CBP trade data and import tracking systems to verify information, and they may rely on evidence from sources with an on-the-ground presence in the location or region in question for further detail. This is particularly helpful in understanding less transparent and more complex supply chains. Well-crafted petitions provide CBP with the critical details it may otherwise lack in

order to escalate a case to an enforcement action like the detention or seizure of goods, or a financial penalty.

Forced labor petitions

Petitioners can include multiple details to help CBP trace a product to the U.S. market, including the name of the specific product or commodity in question; information regarding production methods; business names or investors; and, a production location (i.e., factory, mine, farm, etc.). Having this information makes it more likely that CBP will be able to conduct a thorough investigation of the allegation.

A well-crafted petition that includes both evidence of forced labor, to support the presence of any of the 11 forced labor indicators as defined by the International Labour Organization, and evidence or a lead connecting forced labor to a U.S. supply chain, allows the agency to process the allegation more quickly. The easiest way to submit a petition is to send it directly to the Forced Labor program inbox (Forcedlabor@cbp.dhs.gov) so that analysts can easily follow up as necessary. Individuals or organizations with working relationships with a CBP Forced Labor Division analyst may submit a petition directly to that person, however, using the group mailbox ensures more timely attention to the submission.

What to Include in your Forced Labor Allegation

Provide evidence showing:

1. Forced labor is taking place
2. A connection between the forced labor taking place and the U.S. market

Details

Well-crafted allegations will include details such as the name of the business or investors, and the location or type of work site (i.e. mine, plantation, factory, type of commodity being produced, information on production methods).

Send your completed allegations to Forcedlabor@cbp.dhs.gov or via the e-allegations portal on [CBP.gov](https://www.cbp.gov).

CBP also receives allegations via the [e-allegations portal](#). While anonymous submissions are possible, submitting an allegation without contact details can hamper the agency’s ability to pursue the case by making it difficult or impossible to ask critical follow-up questions. If petitioners have safety concerns about submitting an allegation, they can submit through an established labor rights organization or other neutral third party in the United States.

Assembling a forced labor case that complies with the legal requirements of the Tariff Act can take months, especially as analysts must prioritize and balance multiple petitions at any given time and the need to conduct a thorough investigation.

To ensure your petition has the evidence and information required for CBP to take action, take a look at the Human Trafficking Legal Center [guide](#). The guide includes input from CBP experts and will walk you through the allegation process step by step.

Educational resources

The links shared below are a few examples of many publicly available resources. CBP does not endorse or sponsor any particular organization or source, but is simply providing a starting point for your personal research.

Educational resources on forced labor

U.S. Government and Inter-Governmental Organization resources

- [CBP Forced Labor webpage](#) and [Withhold Release Order page](#), U.S. Customs and Border Protection
- [Strategy to Combat Human Trafficking, the Importation of Goods Produced with Forced Labor, and Child Sexual Exploitation](#), Department of Homeland Security
- [Blue Campaign to End Human Trafficking](#), Department of Homeland Security
- [2020 List of Goods Produced by Child Labor or Forced Labor](#), Department of Labor
- [Comply Chain - Social Compliance Guidance](#), Department of Labor
- [2020 Trafficking in Persons Report](#), Department of State
- [International Labour Organization \(ILO\) - Forced Labor page](#) and [Hard to see, harder to count – Survey guidelines to estimate forced labour of adults and children](#), International Labour Organization (United Nations)
- [International Organization for Migration](#), United Nations
- [OECD Due Diligence Guidance for Responsible Business Conduct](#), Organization for Economic Cooperation and Development

Press and media investigative reports

- [Why apparel brands' efforts to police their supply chains aren't working](#) – The Conversation
- [Seafood from Slaves Investigative Series](#), Associated Press
- [Palm oil labor abuses linked to world's top brands, banks](#) Associated Press
- [Palm oil migrant workers tell of abuses on Malaysian plantations](#), Wall Street Journal
- [Western Companies Get Tangled in China's Muslim Clampdown](#), Wall Street Journal
- [Cocoa's child laborers](#), Washington Post

Examples of research, blog posts, presentations, and tools from civil society, think tanks, academia

- [Palm Oil Buyers Scorecard](#), World Wildlife Fund
- [Canned Tuna Shopping Guide](#), Greenpeace
- [KnowTheChain](#), “a resource for companies and investors to understand and address forced labor risks within their global supply chains.”
- [Global Slavery Index](#)

- [Forced Labor at Sea](#), Center for Advanced Defense Studies (C4ADS)
- [Modern Slavery Map](#)
- [Business and Human Rights: From Principles to Practice](#), Center for Business and Human Rights, New York University, Stern Business School
- [Cornell Social Dialogue, Global Garment Industry study](#), Cornell University, School of Industrial and Labor Relations
- [Uyghurs for Sale: 'Re-education', forced labour and surveillance beyond Xinjiang](#), Australian Strategic Policy Institute
- [Addressing Exploitation in Supply Chains: Is technology a game changer for worker voice?](#), Anti-Trafficking Review
- [Modern Anti-Slavery and Transparent Supply Chains: Building back free-er after crises](#), online panel recording, [The Gilder Lehrman Center for the Study of Slavery, Resistance, and Abolition](#)
- [The Intersection of Climate Change, Migration, and Changing Economy: Climate Change in Bangladesh Drives Worker Vulnerability, Poverty](#), Solidarity Center